

**BEFORE THE APPEALS BOARD  
FOR THE  
KANSAS DIVISION OF WORKERS COMPENSATION**

**JACK SHANE**

Claimant

VS.

**TREASURE CHEST ADVERTISING**

Respondent

AND

**CONTINENTAL CASUALTY**

Insurance Carrier

Docket Nos. 265,067 &  
265,698

**ORDER NUNC PRO TUNC**

It has come to the attention of the Board that a clerical error was made in the Board Order in the above-captioned matter issued on August 31, 2004. Specifically, in the calculation of the award, which was inadvertently calculated at the incorrect rate. The Award should read as follows:

**AWARD**

**WHEREFORE**, it is the finding, decision and order of the Board that the Award of Administrative Law Judge Robert H. Foerschler dated February 23, 2004, is affirmed in part and modified in part as follows:

The claimant is entitled to 74.39 weeks of temporary total disability compensation at the rate of \$359.52 per week or \$26,744.69 followed by 135.13 weeks of permanent partial disability compensation at the rate of \$359.52 per week or \$48,581.94 for a 38% work disability, making a total award of \$75,326.63.

As of September 14, 2004 there would be due and owing to the claimant 74.39 weeks of temporary total disability compensation at the rate of \$359.52 per week in the sum of \$26,744.69 plus 104.61 weeks of permanent partial disability compensation at the rate of \$359.52 per week in the sum of \$37,609.39 for a total due and owing of \$64,354.08, which is ordered paid in one lump sum less amounts previously paid. Thereafter, the remaining balance in the amount of \$10,972.55 shall be paid at the rate of \$359.52 per week for 30.52 weeks or until further order of the Director.

**IT IS SO ORDERED.**

Dated this \_\_\_\_\_ day of September 2004.

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BOARD MEMBER

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BOARD MEMBER

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BOARD MEMBER

c: James L. Wisler, Attorney for Claimant  
John D. Jurcyk, Attorney for Respondent and its Insurance Carrier  
Robert H. Foerschler, Administrative Law Judge  
Paula S. Greathouse, Workers Compensation Director